

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY W. ARTHUR,)	No. C 13-1097 LHK (PR)
)	
Plaintiff,)	ORDER DENYING MOTION
)	FOR EXTENSION OF TIME TO
v.)	FILE OPPOSITION
)	
EDMUND G. BROWN, et al.,)	
)	
Defendants.)	
_____)	(Docket No. 59)

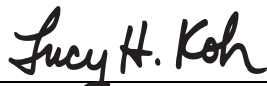
Plaintiff, a state prisoner proceeding *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983, alleging that defendants were deliberately indifferent to his serious medical needs. On August 30, 2013, and December 2, 2013, defendants filed two separate motions to dismiss for failure to exhaust pursuant to Federal Rule of Civil Procedure 12(b). Although given an opportunity, plaintiff did not file an opposition. On May 2, 2014, the court denied defendants' motions and directed defendants to serve and file a motion for summary judgment within sixty days. (Docket No. 58.) Plaintiff was directed to serve and file an opposition or statement of non-opposition to the motion within 28 days after the motion is served. (*Id.*) One day prior to the court's May 2, 2014 order, plaintiff filed a motion requesting an extension of time to file an opposition to defendants' motions to dismiss. (Docket No. 59.)

In light of the court's May 2, 2014 order, plaintiff's motion for an extension of time is moot and therefore **DENIED**.

1 This order terminates docket no. 59.

2 IT IS SO ORDERED.

3 DATED: 5/28/14



4 LUCY H. KOH
United States District Judge